THE HON'BLE SRI JUSTICE N.V. RAMANA

Writ Petition No. 14904 of 2006

Dated: 20.07.2006

Between:

V. Dayakar, S/o Ushaiah, Ex-Conductor (E.651581),APSRTC,
Warangal Region (Warangal District).

.... PETITIONER

AND

The Regional Manager, A.P.S.R.T.C., Warangal Region,
At Hanumakonda.

.....RESPONDENT

THE HON'BLE SRI JUSTICE N.V. RAMANA

Writ Petition No. 14904 of 2006

Order:

Aggrieved by the action of the respondent in deleting his name from the list of approved/selected Conductors, the petitioner filed the present writ petition.

According to the petitioner, he submitted his application for the post of Conductor and after regular process of selection, he was selected and his name was included in the list of selected candidates and in fact he worked as Conductor for some time on daily wages. The respondent has also kept all his original documents with him. However, he was not given regular appointment. As there was strike during 15.10.2001 to 20.10.2001, it is stated that a paper notification was issued directing the selected Conductors to report for duties. But, on the premise that the petitioner did not respond to the said paper notification, his name was deleted from the list of selected/approved Conductors. The grievance of the petitioner is that he was not served with any notice directing him to attend for duties during the strike period and he is not aware of the alleged paper notification issued by the respondent, and therefore, he sought for an appropriate direction.

Heard the learned counsel for the petitioner and the learned Standing Counsel for the respondent-Corporation.

Learned counsel for the petitioner submitted that in similar circumstances, a Division Bench of this Court in "***Regional Manager,***

APSRTC v. Md. Javed Pasha[1]" held that deletion of names from the approved list, without conducting any enquiry, is bad, and he sought for similar order.

As the petitioner was selected and empanelled for being engaged as a Conductor, his name cannot be deleted from the list unless there is any justifiable reason and especially after conducting due enquiry. But, the respondent deleted the name of the petitioner on the ground that the petitioner did not respond to the paper notification, for which, the petitioner claims that he is not aware.

Under the above circumstances, the writ petition is allowed. The respondent is directed to restore the name of the petitioner in the selected list of Conductors and provide the work as was being given for all the empanelled Conductors. No costs.

N.V. RAMANA, J.

Date: 20.07.2006
Nsr/Ksr

[1] 2005 (4) ALT 127 (D.B.)